

ASKS DISMISSAL OF HIS OWN CASE

Chief Sheets Has His Attorney
Make That Request of the
Court for Him.

HEARING OVER TILL TUESDAY.

When Donaldson Fled Chief Sheets
Said Malvey Would Be Able to
Tell His Destination.

The state concluded its evidence yesterday afternoon in the preliminary hearing of Chief of Police George A. Sheets on the charge of compounding a felony and withholding information from a magistrate.

The defense tried to submit no case whatever, but moved for a dismissal. Judge Varian had hardly started his argument when the court cut him short by postponing the hearing until Tuesday next. At that time arguments will be heard in the case, and if the court decides not to dismiss it, the defense will still have an opportunity to put on witnesses should such a course be decided upon.

At the end of the hearing, so far as the prosecution is concerned, the McWhiters evidence is backed up and fortified by a complete chain of corroborative testimony, without a shadow of doubt upon any feature of it. At that time it seemed that their story could not be true. Had it happened in the high Andes, where brigands are supposed to abound, it would have been believed, and had it happened in the interior province of darkest China, where an international army would probably have been holding up the dowager empress for indemnity before this time.

But returning on the well known streets of Salt Lake in the middle of the afternoon, it had many doubters and few believers. Yet people who were mentioned by the McWhiters as keepers of stores where they were taken, were taken, came forward to repeat the exact stories told in the first instance, so far as they were concerned.

THE CLOSING HOURS.

Yesterday afternoon the closing hours were given up to such corroborative evidence, and no law was developed. The witnesses examined were Mrs. Lena Perkins, of the Sanitarium, who was the first to see the McWhiters; Carl M. Mauck, a bookkeeper at McCoy's, who saw them; and a waiter, whom the McWhiters engaged to handle their case, when they arrived; and William G. Rodick, night manager of the Vienna cafe. The state started its case by calling Chief Sheets to the stand, who testified that he saw the McWhiters in the morning, and that they had come to the Sanitarium to see the doctor. He also testified that he saw them in the afternoon, and that they had come to the Sanitarium to see the doctor.

BOTH HAD "WOMEN."

Mrs. Lena Perkins, who was the first to see the McWhiters, testified that she saw them in the morning, and that they had come to the Sanitarium to see the doctor. She also testified that she saw them in the afternoon, and that they had come to the Sanitarium to see the doctor.

Hired a Rig.

Carl M. Mauck, bookkeeper at the McCoy stables, testified about the rig that was hired to go to the New England addition. He said a man who said his name was Davis, telephoned and asked for the rig. Then he and another man came to get it. Shortly afterwards William McWhirter came in, and asked where the men had gone. He said he had been robbed and was informed by Mauck that the rig was hired to go to the New England addition.

SHEETS DIDN'T BELIEVE.

Atty. M. P. Braffatt said he knew Chief Sheets, Donaldson, and the McWhiters. He had had a conversation with Chief Sheets relating to the robbery, near the Smith drug store, on Sept. 28. He had met the chief and had come down together, and had heard the chief's side. He admitted having heard of the robbery from the McWhiters.

REST

While You Work.

That sounds paradoxical, but the reasoning is correct. Rest signifies "comfort" and there's comfort in working with a brain steady nerves. "Do things" and the conscious power to "do things" and still have a lot of thought and energy stored up for more work.

To be in fashion nowadays, one must be able to do something well that the rest of the world is not doing. The modern gentleman is a "doer"—not a mere "looker-on."

Individuals differ in their ability to plan and execute, but human energy is largely derived from food. And that food is best which supplies all the requirements with the least expenditure of bodily (digestive) effort to convert it into action.

Grape-Nuts, the product of a food experts' experiments and practical application during many years, contains the nitrogenous elements of field grains (wheat and barley) that repair tissues. This waste is grain, and the food is best which supplies all the requirements with the least expenditure of bodily (digestive) effort to convert it into action.

It contains also the carbohydrates, and starch element (changed in making Grape-Nuts into soluble sugar for absorption into the blood stream) which the vital forces convert into energy.

It contains, also, the highly important phosphate of potash which the system excretes, combining with the albumen, into the delicate gray matter of brain and nerve centers. Where Grape-Nuts forms the basis of food, the digestive organs do their work easily and naturally, converting food into stored up energy and keeping the tissues in perfect repair—then they rest, while this energy is at the command of the individual to work with in comfort—the rest of wholesome activity. Then does the work count. Read the little book in packages of Grape-Nuts, "The Road to Wellville."

"There's a reason."

Alum and alum phosphate baking powders. The label law requires that all the ingredients be named on the labels. Look out for the alum compounds.

NOTE.—Safety lies in buying only Royal Baking Powder, which is a pure, cream of tartar baking powder, and the best that can be made.

LAST RESPECTS PAID TO VETERAN WM. H. FOSTER.

Deeply sympathetic and very beautiful were the services at the funeral of the late Wm. H. Foster held at noon yesterday in the Eighteenth ward chapel. As was fitting for the close of the career of the well known veteran musician, music and musicians played a large part in the exercises of the occasion. Representatives of the taffereau choir, the temple choir, and the Old Folks choir were in attendance, the full band being selected from all three, and consisting of Evan Stephens, Joe R. Morgan, C. R. Savage, Joshua Midgley, F. H. Pierce and J. J. Watts. In the audience were many of his old time friends of the Seventh and Eighteenth wards, also Prof. Carvers, under whom he once sang in the tabernacle choir. Prof. Thomas was undoubtedly detained by his temple duties, or he would have been on the list of pallbearers. The singing included two quartets, "Shall We Meet Again," "Homeward Fly," and "When the Swallows Homeward Fly," by Messrs. Pyper, Whitney, Kimball, and Ensign, and the beautiful solo "Somehow We'll Understand," sung by Mrs. Margaret Hall. Mrs. Frances Thomassen presided at the organ. The organ, stand, and rails were beautifully draped in white, while the casket was entirely covered with a profusion of floral emblems.

President John R. Winder was the first speaker, and he paid a tribute not only to the integrity of the deceased, but to his skill as a workman, referring especially to the evidence of his handiwork in the temple. He also bore expressions of sympathy from President Smith and Lund. Bishop William Thorne, though bowed with age, and walking on crutches, devoted a few moments to speaking of his association of 50 years with Elder Foster, and particularly dwelling on the time when he was leader of the choir in the Seventh ward.

Other speakers were Apostles Tensdale and Whitney, President McLauchlin, C. R. Savage and John P. Moakin, for whom the choir sang "The High Caliber of the Deceased and Spoke Words of consolation to the family. The drowsy Jensen and Hamilton G. Park and at the grave a quartet under Prof. Stephens sang "Rest." Elder Claudius V. Spencer dedicated the grave.

TO CURE A COLD IN ONE DAY... Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVES' signature is on each box. 5c.

Genuine Navajo Blankets just arrived. Fine line. Z. C. M. L. Carpet Dept.

Marriage Licenses.

Marriage licenses were issued by the county clerk during the past week to the following persons: August Moss, Salt Lake; Frieda Grenick, Salt Lake. A. A. Smith, Salt Lake; Julia J. Cast, Salt Lake. M. R. Yokel, Ogden; Maud Baker, Ogden. Enrico Zornitto, Castle Gate; Josephine Vigne, Castle Gate. Herman Strubbs, Salt Lake; Lydia Keck, Salt Lake. Battista Chrono, Salt Lake; Angelina Ruspolo, Torino, Italy. Alonzo Conte, Eureka; Kate Vallino, Mercur. Werlie Sanders, Bedford, Ind.; Carrie Mae Gleason, Salt Lake. Daniel A. Marshall, Chattanooga, Tenn.; Percy F. Johnson, Salt Lake. Francis P. Taylor, Payson, Matilda Tripp, Halliday. Harry C. Weaver, Salt Lake; Anna Ligen, Salt Lake. Arthur R. Burton, Salt Lake; Mary Ava Bennett, Salt Lake. William Patrick Reardon, Ogden; Hattie Ellen Greenwell, Ogden. Archie Burns, Mount Pleasant, Pauline Jensen, Mount Pleasant. Raymond Billis, Riverton; Della Crane, Harriman. Thomas L. Baker, San Pedro, Cal.; Edna M. Uhlamb, Hagerman, Idaho. Joseph A. Hamilton, Salt Lake; Ella Margaret Burgess, Salt Lake. Abraham Davidson, Portland, Ore.; Cella Levy, Salt Lake. William D. Freckleton, Mill Creek; Bertha E. Perry, Salt Lake. James H. Collins, Salt Lake; Amelia C. Peterson, Salt Lake. Oliver W. Harvey, Kansas City, Mo.; Lorene Brown, Salt Lake. Allen E. Park, Mill Creek; Flossie Woods Crabtree, Salt Lake. C. A. Simonson, Sandy; Helma E. Johnson, Murray. Jerrold Taylor, San Bernardino; Carrie Fellows, Los Angeles. Orson F. Soles, Salt Lake City; Ruby S. Watkins, Salt Lake City. Henry E. Schraven, Salt Lake City; Julia Jones, Salt Lake City. Loran B. Allred, Spring City; Irene Virginia Jensen, Spring City. George E. Gibby, Morgan; Mary Lihford, St. Charles. Dan Liston, Butte; Mary A. Perkins, Butte. Hans H. Christensen, Milford; Carrie Hittby, Milford. Joseph P. Harper, Salda; Lottie B. Hodson, Vernal. Reed Strong, Provo; Jennie McAfee, Charleston. Simon M. Lowder, Rigby, Ida.; Hans H. Christensen, Rigby, Ida. Fred Larson, Salt Lake; Alma M. Johnson, La Grande, Or. Ralph S. Horn, New Castle, Wyo. Eugene O. Walser, Salt Lake; Welcome J. Allen, Salt Lake. Wilson Woods, Rockport, Ind.; Alice Brown, Rockport, Ind. Albert Heiden, Bingham Canyon; Ericka Kanagas, Bingham Canyon. W. A. Carlisle, Cherokee, Okla.; Ida A. Mussen, Cherokee, Okla. John S. Page, Salt Lake; Ellen G. Fifth, Salt Lake. Ben Peterson, Gunnison; Anna Jensen, Vernal.

Genuine Navajo Blankets just arrived. Fine line. Z. C. M. L. Carpet Dept.

ARRAIGNMENT OF JIM DONALDSON

Held in Bonds of Ten Thousand
Dollars for Larceny and
Robbery.

WHAT COMPLAINT CHARGES.

The "Doctor" Was Unable to Furnish
Bail Last Evening and He Had
To Sleep in Jail.

"Doctor" James M. Donaldson was arraigned before J. J. Whitaker at 6:30 yesterday afternoon and held in bonds of \$10,000 to answer the charges of grand larceny and robbery for the part he played in the fleeing of the McWhiters out of \$10,373 on Sept. 18.

The bonds were not forthcoming last night and the versatile "Jim" slept as a guest of the sheriff in a cell up stairs at the county jail. The complaint sworn to by Alexander McWhiters charges in the first count that Donaldson did unlawfully take and carry away \$10,373 from Alexander McWhiters on Sept. 18, 1906, at 140 West Second South street. The second count charges that by means of force and against the will and consent of Alexander McWhiters Donaldson unlawfully took and carried away \$10,373 on Sept. 18, 1906, from the McWhiters brothers.

In each count the amount is made \$10,373 in order to cover the total amount lost by the McWhiters brothers.

WOMAN ALSO HELD.

Donaldson's paramour, Mrs. Effie Fay, is held as an accomplice in an accessory after the fact. Her bond was fixed at \$1,000 and was promptly furnished by Edna Prescott, landlady of a "house" in an alley off Main street. She was released and moved her effects to the resort.

Donaldson was considerably surprised at the amount of bonds required by the court and exulted. "When, he must think I am a bad fellow," he said. "Aside from this exclamation 'the doctor' all along was as cool as the proverbial cucumber. He walked quietly through the back streets to the county jail in company with Deputy Sheriff Sharp. The prisoner was not handcuffed, in fact he has not worn 'bracelets' since the time of his arrest. On the way here from his Springs, Ark., he was a model prisoner and gave no trouble whatever. None on the train coming west knew that the couple were officer and prisoner. While Deputy Sheriff Sharp rode in his main outfit of his sight, both worked with such diplomacy that their identity was never guessed.

TOOK "HEART" TREATMENT.

En route to Salt Lake Donaldson told practically the same story to Deputy Sheriff Sharp as his attorney, Sam King, detailed to the "News" yesterday. It is interesting to learn that Jim Donaldson went to Hot Springs to take treatment for his heart, at least so says his attorney.

Donaldson's heart has been troubling him somewhat since he has been on his trip. He has been taking "heart" treatment for his heart, at least so says his attorney.

The "News" did "Jim" Donaldson an injustice last night when it stated that he was suffering from a "heart" ailment. Three bottles containing drugs were found on his person together with a glass dropper. One bottle contained a solution of opium.

Donaldson has had a long career to date. He was born in Tooele county and when 15 years of age was kidnapped. For the next four years he was a cow puncher in Arizona. When released he and his brother herded cattle in the Deep Creek country. In a battle with Indians his brother was killed, and Donaldson escaped after he had killed one of the Indians. He then came to Salt Lake and operated in Seattle, Denver and Hot Springs, Ark. In 1897 he went to Klondike where he dealt faro and generally lived the life of a gambler in preference to mining. While in Skagway he refereed the first prize fight ever held north of Seattle. The above is what Donaldson says.

HAD CONSIDERABLE MONEY.

Donaldson returned from the north with considerable money and for a time made Seattle the scene of his gambling operations. He was a dealer in the Consolidated brothers, and was held as a witness following the killing of the chief of police by the Consolides, a case that created a great stir in Seattle. After the trial and acquittal of the Consolides he returned to Yukon, but did not make a stake. He eventually bobbed up in Salt Lake broke and for a time acted as night manager of a Wyoming club until that gambling house was closed.

Since then he has had rather a hand-to-mouth existence until he made the big stake from the McWhiters' last month.

PROMISED GOOD JOB.

When the American party went into power he was promised the position of chief of detectives on the police force. He had the best of reasons for not standing for this raw appointment and he was turned down. By way of sep he was then promised that he would be allowed to pull off a prize fight here, and accordingly he engineered the Curbett-Hyland contest, which received its quietus at the hands of the Salt Lake Ministerial association and the decent element of this city.

Back on all sides Donaldson returned to his old paths, and with his book and line went angling for "suckers" and between times, it is said, acted as a "stool pigeon" for the police department.

THE MORRIS SCHOOL.

Resolution Adopted to Make It Part
Of Hamilton School.

At a meeting of the committee on teachers and school work of the city board of education held last evening, a resolution was adopted recommending that the Morris school become a part of the Hamilton school, the pupils of the latter institution to receive tuition in a room in the Morris building, in some other suitable annex. The question has been a vexed one, and it debated for a long time last night before light appeared on the matter.

Judge Willis Brown of the juvenile court, appeared before the committee and explained the situation thoroughly. He pointed out the fact that the boys at the Morris school are not criminals in any way. They are not there because of wrongdoing, except as to truancy, and some of them only for the reason that they have no proper home. They are entitled to and should receive the benefits of public school system.

The committee took up the question of the expenses incurred by the principal of the high school for commencement day exercises at the close of last year's school work. The matter was not settled last evening, but went over until the next meeting of the committee.

Application has been made by the

I Took Pe-ru-na, Hardly Daring to Believe

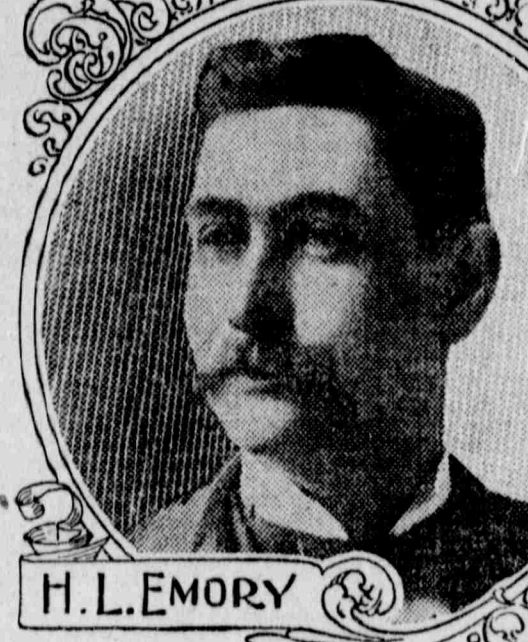
So Writes Mr. Newhof, of Albany.
Pelvic Diseases in Men.

Many an invalid is dragging out a miserable existence with catarrh of the kidneys, catarrh of the bladder, or both. There is no disease equal to catarrh of the bladder in producing complete wretchedness, absolute despair, haggard misery and stubborn weakness. An army of this sort of victims have one by one discovered that Peru-na could be relied upon to relieve such cases.

One man tells another man, and in this way the news spreads until in all parts of the country are to be found men who have been permanently liberated from the thrall of catarrh of the bladder by a course of Peru-na.

Many cases of catarrh of the stomach, kidneys and other abdominal organs have reported themselves as cured.

We give below two prominent testimonials which illustrate the benefit of Peru-na in these cases.



H. L. EMORY

Catarrh of Stomach and Kidneys.

Mr. H. L. Emory, Vice Chancellor and Master of Arms, K. P.'s, of Omaha, Neb., writes from 205 North Sixteenth street, the following words of praise for Peru-na as a tonic. He says:

"It is with pleasure I recommend Peru-na as a tonic of unusual merit. A large number of prominent members of the different orders with which I have been connected have been cured by the use of Peru-na in cases of catarrh of the stomach and kidneys; also in kidney complaints and weakness of the pelvic organs."

"Peru-na tones up the system, aids digestion, induces sleep, and is well worthy the confidence of sufferers of the above complaints."



CHARLES B. NEWHOF

Catarrh of the Bladder

Mr. C. B. Newhof, 10 Delaware street, Albany, N. Y., President Montefiore Club, writes:

"Since my advanced age I find that I have been frequently troubled with urinary ailments. The bladder seemed irritated, and my physician said that it was catarrh caused by a protracted cold which would be difficult to overcome on account of my advanced years. I took Peru-na, hardly daring to believe that I would be helped, but found to my relief that I soon began to mend. The irritation gradually subsided, and the urinary difficulties passed away. I have enjoyed excellent health now for the past seven months. I enjoy my meals, sleep soundly, and am as well as I was twenty years ago. I give all praise to Peru-na."

From 11 South Nicholas St., Chicago, Ill., as follows:

"I was in good health until about four years ago, when my back became lame and sore. The pains kept increasing, with severe twitches and slow convulsive aches. Urine was highly colored and passed with great irregularity. I knew this must be inflammation of the bladder."

"Having read of Peru-na, I decided to try it. I found relief from the pain within ten days. The aches gradually diminished, and it was a blessed relief. I can assure you. Within three months I was well once more. My appetite had returned, nervousness and irritability were things of the past, and for over two years now I have been a healthy man."

"I give all thanks to your Peru-na, and believe that it is a blessing to mankind."

Knitted Garments, Underwear and Hosiery

Little Thread garments, a few still in stock, per pair \$1.00. Medium weight Cotton, per pair 90c. Fine Cotton, splendid wearing quality, per pair \$1.00.

RECEPTION TO FACULTY.

That of J. D. S. U. Entertained at Granite State Tabernacle.

THE HEALER.

Every uncalled for Sult and Overcoat to be closed out at a great bargain. Daniels the Tailor, 57 W. 2nd South.

STOVES AND RANGES

LOWEST FACTORY PRICES

30 Days Free Trial

Set it up in your own home and put it to EVERY POSSIBLE TEST for 30 days. Test it for economy in retaining heat, for soundness and durability, for quick, reliable cooking, roasting and baking, for its ANY WAY YOU CHOOSE to use it. If you are not satisfied, return it to us and we will refund your money. If you are satisfied, we will give you a \$5.00 gift. We have our own big factory for supplying our ever increasing trade. Every stove and range which we manufacture has our seal on it. 30 days free trial. Anywhere in America. Write for our catalogue and complete information regarding our 30 days free trial offer. Wait until you have had our liberal plan before buying a stove of any kind.

GUARANTEED FOR FIVE YEARS

Kemper-Paxton Mercantile Co. 904 Liberty St., KANSAS CITY, MO.

Walter's Cold Tablets—A Cold Today—Gone Tomorrow

Harmless and nice to take. If not cured within 24 hours—money back and no question. 25c.

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SMITH DRUG CO. Order Phones 4350. Open all night.

FILL UP EARLY WITH OUR

"Peacock" Coal

"At the Sign of the Peacock." 38 S. Main. Phone 2600

THE KEELEY ICE CREAM CO.

Make special prices to ward social dances, parties, etc. Prompt service. All Phones 825. 26 RICHARDS STREET.